

APPLICANTS: LOWELL S. & BETTY L. DUNN & NEIL ROLLNICK, TRUSTEES

- (1) UNUSUAL USE to permit the filling of portions of a lake.
- (2) MODIFICATION of Condition #1 of Resolution #1416, passed and adopted by the Board of County Commissioners, and last modified by Resolution #4ZAB-289-88, passed and adopted by the Zoning Appeals Board, reading as follows:

FROM: "1. That detailed plans be submitted to and meet with the approval of the Directors of the Departments of Environmental Resources Management and Building and Zoning; and that said plans be substantially in compliance with that submitted 'Proposed Quarry Expansion (Area 2) in Section 36, T53S, R39E', as prepared by Larsen and Associates, Consulting Environmental Engineers, and dated March 30, 1988', except that the lake area be reduced in size to reflect the 40' right-of-way for N.W. 127 Avenue."

TO: "1. That in the approval of the plan, the same be in accordance with that submitted for the hearing as prepared by ES Consultants, Inc., entitled 'Beacon Lake Lakefill,' and dated last revised 9/7/04."

The purpose of this request is to allow the applicant to submit a new site plan indicating portions of an existing lake to be filled.

Upon a demonstration that the applicable standards have been satisfied, approval of request #2 may be considered under §33-311(A)(7) (Generalized Modification Standards) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing).

The aforementioned plan is on file and may be examined in the Zoning Department. Plan may be modified at public hearing.

SUBJECT PROPERTY: The SW ¼ and the south ½ of the NW ¼, all lying in Section 36, Township 53 South, Range 39 East. LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCELS OF LAND:

Begin at the Point of intersection of the south line of the SW ¼ of said Section 36 with the west line of Tract "K-K," LAKE POINTE, SECTION 5, Plat book 139, Page 81, said point also being the Northwest corner of said Tract "K-K"; thence run E/ly, along the south line of the SW ¼ of said Section 36, for a distance of 513.44' to the Southeast corner of the SW ¼ of said Section 36; thence run N/ly along the east line of the SW¼ of said Section 36, for a distance of 110.04' to the Point of intersection with the north line of the south 110' of the SW¼ of said Section 36; thence run W/ly, along the north line of the south 110' of the SW ¼ of said Section 36, for a distance of 35.01' to the Point of intersection with the west line of the east 35' of the SW ¼ of said Section 36; thence run S/ly, along the west line of the east 35' of the SW ¼ of said Section 36, for a distance of 4.35' to the Point of curvature of a circular curve to the right; thence run SW/ly along the arc of said circular curve to the right, having a radius of 25'; through a central angle of 91°29'52", for an arc distance of 39.92' to a Point of tangency with the north line of the

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south 80' of the SW ¼ of said Section 36; thence run W/ly, along the north line of the south 80' of the SW ¼ of said Section 36, for a distance of 450.6' to the Point of curvature of a circular curve to the left; thence run SW/ly along the arc of said circular curve to the left, having a radius of 612.96', through a central angle of 25°31'53", for an arc distance of 273.14'; thence run SW/ly along a line tangent to the previous described curve for a distance of 46.74' to the Point of intersection with the south line of the SW ¼ of said Section 36; thence run E/ly, along the south line of the SW ¼ of said Section 36, for a distance of 306.36' to the Point of beginning. Subject to: An easement granted to Seaboard Air Line Railroad Company, filed 11/26/56, in Deed Book 4366, Page 522 and described as follows:

A parcel of land beginning at the Southwest corner of the SW ¼ of Section 36, Township 53 South, Range 39 East; run thence east along the S/ly line of said SW ¼ for a distance of 300'; thence along a straight line in a NW/ly direction to a point in the west line of said SW ¼, distance 100' north, as measured along said west line, from the Southwest corner of said SW¼; thence S/ly, along said line of said SW ¼, for a distance of 100' to the Point of beginning. AND: (MDX PROPERTY): A portion of the SW ¼ of Section 36, Township 53 South, Range 39 East, less the area dedicated for right-of-way by Special Warranty Deed as recorded in Official Records Book 16898, Page 985, and being more particularly described as follows:

Commence at the Southwest corner of said Section 36, Township 53 South, Range 39 East; thence run N89°40'50"E along the south line of said Section 36 for 300' to the Point of Beginning of the parcel of land hereinafter to be described and the Southeast corner of CSX Transportation, Inc., railway easement by easement deed, Deed Book 4366, Page 522; thence run N72°02'19"W along the NE/ly line of said railway easement for 273' to the east line of the west 43' of said SW ¼ of Section 36; thence run N01°48'51"W along said east line of the west 43' for 459.34'; thence run N89°45'57"E for 2,596.4' to the east line of the SW ¼ of said Section 36; thence run S01°46'58"E along said east line for 431.09' to the north line of said area dedicated for right-of-way by said Special Warranty Deed; thence run S89°40'50"W along the north line of the south 110' of said SW¼ of the Section 36 for 35.01'; thence run S01°46'58"E for 4.36' to the Point of curvature of a circular curve, lying concave to the Northwest and having a radius of 25'; thence run SE/ly, S/ly and SW/ly along said curve to the right through a central angle of 91°27'48" or an arc length of 39.91' to the Point of tangency with the said north line of the south 80' of said Section 36; thence run S89°40'50"W along said north line of the south 80' for 450.74' to the Point of curvature of a circular curve, concave to the Southeast, and having a radius of 612.96'; thence run SW/ly along said curve to the left, through a central angle of 25°31'53" for an arc length of 273.14' to the Point of tangency; thence run S64°08'57"W for 46.74' to the south line of said SW ¼ of Section 36; thence run S89°40'50"W along said south line for 1,519.22' to the Point of beginning. AND: A portion of the W/ly 43' of the SW ¼ of Section 36, Township 53 South, Range 39 East, as affected by easement deed to CSX Transportation, Inc., recorded in Deed Book 4366, Page 522, and being more particularly described as follows:

Begin at the Southwest corner of Section 36, Township 53 South, Range 39 East; thence run N01°48'51"W along the west line of said Section 36 for 688.65' to the E/ly extension of the north right-of-way line of N.W. 13th Street, as shown on the plat of WESTERN MIAMI, SECTION "D", Plat book 30, Page 1; thence run N89°43'04"E along said E/ly extension for 43.02' to the east

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HEARING NO. 05-9-CZ5-1 (04-318)

36-53-39
Council Area 5
Comm. Dist. 12

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line of the west 43' of said Section 36; thence run S01°48'51"E along said east line of the west 43' for 688.63' to the south line of said SW ¼ of Section 36; thence run S89°40'50"W along said south line for 43.01' to the Point of beginning.

LOCATION: Lying east of N.W. 127 Avenue and approximately 540' north of N.W. 12 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 204.019 Acres

PRESENT ZONING: GU (Interim)